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In re Application of	:	
ZIEGLER et al.	:	
Application No.: 10/559,492	:	
PCT No.: PCT/EP04/06050	:	
Int. Filing: 04 June 2004	:	DECISION ON PETITION
Priority Date: 05 June 2003	:	UNDER 37 CFR 1.47(a)
Attorney Docket No.: 026032-4983	:	
For: LINEAR INDICATOR	:	

This decision is issued in response to applicants' "Petition under 37 CFR 1.47(a)" filed 05 April 2007 to accept the application without the signature of joint inventor, Atanas Salabaschew. The \$200 petition fee has been submitted.

BACKGROUND

On 04 June 2004, applicants filed international application PCT/EP04/06050 which claimed a priority date 05 June 2003. Pursuant to 37 CFR 1.495, the period for paying the basic national fee in the United States expired 30 months from the priority date, 05 December 2005.

On 05 December 2005, applicants filed a transmittal for entry into the national stage in the United States, which accompanied by, inter alia: the requisite basic national fee as required by 35 U.S.C. 371(c)(1); a copy of the international application; and an application data sheet.

On 07 September 2006, the United States Designated/Elected Office mailed a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) must be filed. The notification set a two-month time limit in which to respond.

On 05 April 2007, applicants filed a petition under 37 CFR 1.47(a).

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by: (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and behalf of the nonsigning joint inventor.

A review of the papers filed 05 April 2007 reveals that petitioner has paid the requisite petition fee, provided sufficient proof that the non-signing inventor (Atanas Salabaschew) refused to sign, stated the last known address of the non-signing inventor (Atanas Salabaschew), and provided an acceptable declaration. Accordingly, all of the requirements of items (1), (2), (3), and (4) above have been satisfied.

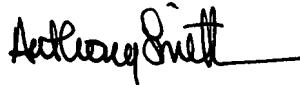
CONCLUSION

For the reasons above, applicants' petition under 37 CFR 1.47(a) is **GRANTED**.

The application has an international filing date of 04 June 2004 under 35 U.S.C. 363, and will be given a date of 05 April 2007 under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.



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